IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Con.Case(C).No. 303 of 2007(S)

(ARISING FROM O.P.NO.21268/2002 DTD. 26/03/2003)

PETITIONER:

REV.FR.ENAS OTTATHENGUMKAL,AGED 70, S/O.SHRI.PUNNOSE,MANAGER,ST.THOMAS COLLEGE, PALA.

BY ADV. SRI.BABU VARGHESE.

RESPONDENTS:

K.MOHANADAS,(AGE & FATHERS NAME NOT AVAILIABLE) DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM.

BY GOVERNMENT PLEADER SMT. N. SUDHADEVI.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

CC (C)NO.303 OF 2007-S

Judgment

The petitioner has approached this Court, alleging that the direction of this Court in Annexure A1 Judgment to pay the salary due to him on his appointment being approved by the University, has not been obeyed. The relevant portion of the said Judgment reads as follows :

> *"In the case of the appointments duly approved by the University, the concerned Deputy Director shall release the salary due to the incumbents in accordance with law without any further delay."*

2. The respondent has filed an affidavit, in which it is submitted as follows:

> *"The appointment of the petitioner was approved by the Mahatma Gandhi University only on 18.07.2006. Pursuant to the (sic-that) the Principal, St.Thomas College, Pala had submitted the salary bill of the petitioner for the month of January 2007 by the letter No.AC.4/EPB/07 dated 24.01.2007. The above salary bill was approved and counter signed on 02.03.2007. The salary for the above month has been duly disbursed to the petitioner. It is respectfully submitted that the Principal, St.Thomas College, Pala has not till date submitted the arrear bill of the petitioner for the period from January 2002 to December 2006. It is submitted that the above arrear bill will be duly counter signed and salary*

disbursed on receipt of the same without further delay. The salary bill of the petitioner for the month of February 2007 is in the cause (sic-course) of being considered by the respondent and will disburse (sic - will be disbursed) immediately."

The above submissions will redress the grievance of the petitioner. Recording the above submissions, the CC(C) is closed.

14.03.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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